

Clerk of Courts - Municipal and County Court (Draft)

This schedule lists Clerk of Courts - Municipal and County Court records commonly found in county offices. The retention periods specified herein are either required by statute or have been determined by best practice. Permanent records existing solely in electronic format may become inaccessible through media decay and/or hardware/software obsolescence. The Ohio History Connection recommends that digital records with greater than a 10 year retention period also be maintained in either paper or microfilm formats. Records may not be disposed of until all audits are released and audit discrepancies have been settled. Where a lawsuit or agency proceeding is pending, a legal hold on relevant records is required. Records shall be retained until the legal hold has been removed. ELECTRONIC MAIL (e-mail) is a format on which records are sent, received and/or drafted using electronic mailing systems. E-mail is NOT a record series. Instead, each individual e-mail should be evaluated according to its content and retained in accordance with the record series adopted within this schedule that the content most closely fits.

Records Series	Definition	Retention
Administrative Records		
Administrative Journal	Consists of court entries, or a record of court entries, regarding policies and issues not related to cases	Permanent (26.01 A)
Annual Budgets	Annual fiscal allocation, may include working documents	3 years, provided audited
Annual Reports	Contains substantive information of operations, policies, procedures and planning	2 copies maintained permanently (26.01 B)
Application for Employment	Application submissions for open positions	2 years (26.01 H)
Audit Reports	Financial examinations and reports	3 years
Bank Records	Record of all bank transactions	3 years, provided audited (26.01 C)
Cash Books	Includes expense and receipt ledgers	3 years, provided audited (26.01 D)
Communication Records	Includes routine telephone message on any medium where official action will be recorded elsewhere	Until no longer of administrative value (26.01 E)
Correspondence and General Office Records	Includes all sent and received correspondence on any medium	Until no longer of administrative value (26.01 F)
Drafts and Informal Notes	Drafts and informal notes consisting of transitory information used to prepare the official record	Until no longer of administrative value (26.01 G)
Employee Benefit and Leave Records	Includes copies of life and medical insurance records	3 years, provided audited (26.01 I)
Fiscal Records	Includes copies of transactional budgeting and purchasing documents maintained by another office or agency. May include invoices, billing records/statements, and receipt documents	3 years, provided audited (26.01 K)
Grant Records	Records of grants made or received by the court	3 years after expiration (26.01 L)
Ohio Supreme Court Quarterly Report	Statistical reporting information provided to the Ohio Supreme court	Permanent

Records Series	Definition	Retention
Pay-Ins to Treasury	Receipt of funds paid into the county Treasury	3 years, provided audited
Payroll Records	Payroll records of personnel time and copies of payroll records maintained by another office	3 years, provided audited (26.01 M)
Personnel Files	Records concerning the hiring, promotion, evaluation, attendance, medical issues, discipline, termination and retirement of court employees	10 years after termination (26.01 J)
Publications Received	Publications received by the Court	Until no longer of administrative value (26.01 N)
Receipt Records	Receipt and balancing records	3 years, provided audited (26.01 O)
Reparations Rotary Reporting	The monthly payment of all reparations rotary fees through the Treasurer of State's online payment system	3 years, provided audited
Requests for Proposals, Bids and Resulting Contracts	Requests for proposals, bids received in response to a request for proposal, and contracts resulting from a request for proposal	3 years after expiration of contract (26.01 P)
Tape Recordings	Recordings of court proceedings	1 year from hearing date, unless there is an appeal

CLERK OF COURTS - MUNICIPAL AND COUNTY COURT

Per Rule 26 C, the Court may create Combined Files wherein the components of Indexes, Dockets and Journals are contained in the electronic case file.

Auditor Reports	Audit reports received from the Auditor of State.	Permanent (26.05 D)
Case Files - Real Estate	Case file of matters that resulted in a final judgement determining title or interest in real estate.	Permanent (26.05 G)
Civil Case Files	Case file of matters that do not determine title or interest in real estate.	2 years after the issuance of an audit report by the Auditor of State. (26.05 G)
Docket (Blotter, Appearance Docket)	A chronological record of all orders and judgements in each case before the court.	25 Years (26.05 E)
Drafts and Informal Notes	Judge, magistrate and clerk notes, drafts and research prepared for the purpose of compiling a report, opinion or other document or memorandum.	Destroy when no longer of administrative value. (26.05 F)
Driving Under the Influence (DUI) Case Files	Case file for cases in which the defendant is accused of driving under the influence of alcohol or drugs (DUI).	50 years after the date of the final order of the Municipal or County Court. (26.05 G)

Records Series	Definition	Retention
Exhibits, Depositions, Transcripts	Documents, records or other tangible objects formally introduced as evidence in court; witness's out-of-court testimony that is reduced to writing for later use in court, and official record of proceedings in a trial.	60 days after notification of destruction (26 F)
Index	Reference record used to locate journals, dockets, case files and case numbers, including directly and in reverse the names of all parties to the cases.	25 Years (26.05 E)
Journal (Record)	Verbatim record of a court proceeding arranged chronologically.	25 Years (26.05 E)
Minor Misdemeanor Criminal C	Records for criminal cases in which a jail sentence has not be imposed.	5 years after the final order of the municipal or county court or 1 year after the issuance of an audit report by the Auditor of State, whichever is later. (26.05 G)
Minor Misdemeanor Traffic Case Files	Records for traffic cases in which a jail sentence has not be imposed.	5 years after the final order of the municipal or county court or 1 year after the issuance of an audit report by the Auditor of State, whichever is later. (26.05 G)
Minutes	A verbatim record of every court order or judgement issued by the court arranged chronologically.	Permanent
Misdemeanor Criminal Case Files- First Through Fourth Degree	Records for criminal cases in which a jail sentence can be imposed.	50 years after the final order of the municipal or county court or 1 year after the issuance of an audit report by the Auditor of State, whichever is later. (26.05 G)
Misdemeanor Traffic Case Files	Records for traffice cases in which a jail sentence can be imposed.	25 years (26.05 G)
Monetary Records	Records of the payment of fines and other financial transcactions resulting from court proceedings.	3 years after issuance of and audit report by the Auditor of State. (26.05 D)
Parking Ticket Records	Records of parking violations.	Until ticket is paid and the Auditor of State issues an audit report. (26.05 G)

Records Series	Definition	Retention
Rental Escrow Account Records	Records of rent escrow accounts maintained by the court. Rental escrow accounts are created when a tenant pays rent to the court until the tenant and landlord agree repairs have been completed on rented property.	Retain for 5 years after the last date of deposit. (26.05 D)
Search Warrant Records	Judge's written order authorizing a law enforcement officer to conduct a search of a specified place and to seize evidence.	Retain in original form for 5 years after the date of service or last service attempt. (26.05 G)
Yearly Reports	Reports created annually describing court activities and containing court's yearly statistics.	Permanent (26.05 D)

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